

ORDINANCE NO. 139-10

BY: **MARY GALINAS**
(By Request – City Engineer)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1519.06 “LOCATION REGULATIONS” AND SUBSECTION (a) OF SECTION 1707.49 “DEPOSIT OF REFUSE, GARBAGE ON PUBLIC OR PRIVATE PROPERTY; PLACEMENT OF SIGNS ON PUBLIC OR PRIVATE PROPERTY” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That a portion of Section 1519.06 “Location Regulations” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“1519.06 LOCATION REGULATIONS.

... .

- (a) Vertical Clearance. The following regulations shall apply to any sign which occupies the vertical space above a pedestrian or vehicular way and which is designed to permit traffic there under. The lowest member of such sign shall be at least eight feet above the finished grade of a sidewalk or other pedestrian way and at least fifteen feet above the finished grade of a pavement used for vehicular traffic if such sign is located within eighteen inches of the vertical projection of the pavement edge. No sign shall be located in or projected over a public right of way.”

... .

is hereby amended to read as follows:

“1519.06 LOCATION REGULATIONS.

... .

- (a) Vertical Clearance. The following regulations shall apply to any sign which occupies the vertical space above a pedestrian or vehicular way and which is designed to permit traffic there under. The lowest member of such sign shall be at least eight feet above the finished grade of a sidewalk or other pedestrian way and at least fifteen feet above the finished grade of a pavement used for vehicular traffic if such sign is located within eighteen inches of the vertical projection of the pavement edge. ~~No sign shall be located in or projected over a public right of way.~~

... .

- (e) **PUBLIC PROPERTY; UTILITY POLE.** NO SIGN SHALL BE PLACED IN OR UPON ANY PUBLIC PROPERTY INCLUDING, BUT NOT LIMITED TO, ANY PARK, PUBLIC GROUNDS, SIDEWALK, TREE LAWN, STREET OR HIGHWAY, OR UTILITY POLE. THE CITY SHALL REMOVE AND DISPOSE OF ANY SIGN IN VIOLATION OF THIS SECTION. THE PENALTY FOR VIOLATION OF THIS SECTION IS A MINOR MISDEMEANOR.”

Pg. 2 of L-139-10 Ord. to amend a portion of Section 1519.06 “Location Regulations” and subsection (a) of Section 1707.49 ‘Deposit of Refuse, Garbage on Public or Private Property; Placement of Signs on Public or Private Property,” and declaring an emergency

Section 2. That a portion of subsection (a) of Section 1707.49 “Deposit of Refuse, Garbage on Public or Private Property; Placement of Signs on Public or Private Property” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“1707.49 DEPOSIT OF REFUSE, GARBAGE ON PUBLIC OR PRIVATE PROPERTY; PLACEMENT OF SIGNS ON PUBLIC OR PRIVATE PROPERTY.

(a) No person shall throw, deposit or permit to be thrown or deposited any rubbish, garbage, dirt, paper, filth, filthy water, sweepings, ashes, shavings, offal, stones, wood, trash, straw, earth or refuse material of any kind, or place signs into or upon any park, public grounds, sidewalk, tree lawn, utility pole, street or highway or upon any property belonging to another person, without the owner’s consent. Whoever violates this division (a) is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.”

. . .

is hereby amended to read as follows:

“1707.49 DEPOSIT OF REFUSE, GARBAGE ON PUBLIC OR PRIVATE PROPERTY; ~~PLACEMENT OF SIGNS ON PUBLIC OR PRIVATE PROPERTY.~~

(a) No person shall throw, deposit or permit to be thrown or deposited any rubbish, garbage, dirt, paper, filth, filthy water, sweepings, ashes, shavings, offal, stones, wood, trash, straw, earth or refuse material of any kind, ~~or place signs~~ into or upon any park, public grounds, sidewalk, tree lawn, utility pole, street or highway or upon any property belonging to another person, without the owner’s consent. Whoever violates this division (a) is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.”

. . .

Section 3. That Section 1519.06 “Location Regulations” and subsection (a) of Section 1707.49 “Deposit of Refuse, Garbage on Public or Private Property; Placement of Signs on Public or Private Property” of the Codified Ordinances of the City of Parma, as they existed heretofore, are hereby repealed.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order for these sections to be consistent with each other, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO